

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES IDING,

Plaintiff,

v.

Case No. 2:10-cv-387

**COMMISSIONER OF SOCIAL
SECURITY,**

**JUDGE GREGORY L. FROST
Magistrate Judge Kemp**

Defendant.

ORDER

This case is before the Court to consider a Report and Recommendation issued by the Magistrate Judge on February 22, 2011. The time for filing objections has passed, and no objections have been filed to the Report and Recommendation. Therefore, the Court **ADOPTS** the Report and Recommendation. The plaintiff's statement of specific errors (Doc. #16) is sustained to the extent that the case is remanded to the Commissioner pursuant to 42 U.S.C. §405(g), sentence four. On remand, the ALJ should make specific findings of fact which address the complete residual functional capacity of the plaintiff and the extent to which a finding that he can perform substantial gainful activity (should such a finding be made) is based on the vocational evidence of record rather than simply the Medical-Vocational Guidelines.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE